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7 CHASOM BROWN, et al.,  
8 Plaintiffs,  
9 v.  
10 GOOGLE LLC,  
11 Defendant.

Case No. 20-cv-03664-YGR (SVK)

**ORDER ON ADMINISTRATIVE  
MOTIONS FOR LEAVE TO FILE  
UNDER SEAL**

Re: Dkt. Nos. 593, 594, 616, 637, 638, 689,  
716, 723

12 Before the Court are administrative motions for leave to file under seal materials  
13 associated with discovery disputes in this case. Dkt. 593, 594, 616, 637, 638, 689, 716, 723.

14 Courts recognize a “general right to inspect and copy public records and documents,  
15 including judicial records and documents.” *Kamakana v. City & Cnty. Of Honolulu*, 447 F.3d  
16 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Communs., Inc.*, 435 U.S. 589, 597 & n.7  
17 (1978)). A request to seal court records therefore starts with a “strong presumption in favor of  
18 access.” *Kamakana*, 447 F.3d at 1178 (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d  
19 1122, 1135 (9th Cir. 2003)). The standard for overcoming the presumption of public access to  
20 court records depends on the purpose for which the records are filed with the court. A party  
21 seeking to seal court records relating to motions that are “more than tangentially related to the  
22 underlying cause of action” must demonstrate “compelling reasons” that support secrecy. *Ctr. For  
23 Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016). For records attached to  
24 motions that are “not related, or only tangentially related, to the merits of the case,” the lower  
25 “good cause” standard of Rule 26(c) applies. *Id.*; *see also Kamakana*, 447 F.3d at 1179. A party  
26 moving to seal court records must also comply with the procedures established by Civil Local  
27 Rule 79-5.  
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1           Here, the “good cause” standard applies because the information the parties seek to seal  
 2 was submitted to the Court in connection with discovery-related motions, rather than a motion that  
 3 concerns the merits of the case. The Court may reach different conclusions regarding sealing  
 4 these documents under different standards or in a different context. Having considered the  
 5 motions to seal, supporting declarations, and the pleadings on file, and good cause appearing, the  
 6 Court **ORDERS** as follows:

7           1.      **Dkt. 593**

8 <b>Documents 9           Sought to be Sealed</b>	10 <b>Court's Ruling on 11           Motion to Seal</b>	12 <b>Reason(s) for Court's Ruling</b>
13           Order Adopting in 14           Part and 15           Modifying In Part 16           the Special 17           Master's Report 18           and 19           Recommendation 20           on Referred 21           Discovery Issues 22           re Preservation 23           Plan (Dkt. 587)	24           GRANTED as to 25           Portions of Order at:  26           Pages 7:20-21, 7:23- 27           25, 8:14  28           GRANTED as to 29           Portions of Exhibit 30           A to Order at:  31           Pages 2-3	32           Narrowly tailored to protect confidential 33           technical information regarding sensitive 34           features of Google's internal systems and 35           operations, including various types of Google's 36           internal projects, data signals, and logs and their 37           proprietary functionalities, that Google 38           maintains as confidential in the ordinary course 39           of its business and is not generally known to the 40           public or Google's competitors. Such 41           confidential and proprietary information reveals 42           Google's internal strategies, system designs, 43           and business practices for operating and 44           maintaining many of its services. Public 45           disclosure of such confidential and proprietary 46           information could affect Google's competitive 47           standing as competitors may alter their systems 48           and practices relating to competing products. It 49           may also place Google at an increased risk of 50           cybersecurity threats, as third parties may seek 51           to use the information to compromise Google's 52           internal practices relating to competing 53           products.

23           2.      **Dkt. 594**

24 <b>Documents 25           Sought to be Sealed</b>	26 <b>Court's Ruling on Motion 27           to Seal</b>	28 <b>Reason(s) for Court's Ruling</b>
29           Order on 30           Plaintiffs' Motion for 31           Sanctions for Discovery	32           GRANTED as to Portions of Order at:  33           Pages 3:2, 3:23, 3:26	34           Narrowly tailored to protect confidential 35           technical information regarding sensitive 36           features of Google's internal systems and 37           operations, including various types of Google's 38           internal projects, identifiers, data

1	Misconduct (Dkt. 588)	GRANTED as to Portions of Exhibit A to Order at:  Pages 4:5, 4:8-9, 4:19-20, 5:3, 5:5, 5:17, 6:11, 6:20, 6:23, 7:2-26, 13:1-3, 13:10-13, 16:10-11, 17:16, 17:20, 19:5, 19:7, 21:9, 21:11, 21:13-15, 21:17, 21:19, 21:23-24, 22:2-3, 22:10, 22:12, 22:17, 23:6, 24:2, 24:18, 26:3-5, 27:24, 36:8-10, 36:12, 36:15, 36:17, 36:26, 37:3, 37:7, 37:14	signals, and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
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### 3. Dkt. 616

Document	Portions to be Filed Under Seal	Reason(s) for Court's Ruling
Transcript for April 21, 2022 Proceedings	GRANTED as to redacted portions at:  Pages 12:16, 18:14, 18:19, 89:20, 121:4, 121:7, 121:13, 128:8, 128:18-19, 128:22, 131:20-22, 131:25, 132:3, 132:6-7, 132:11, 132:15, 140:11, 140:14-15, 140:18, 155:20-21, 155:24-25, 169:12, 169:20, 169:22, 189:6, 189:13, 190:10-12, 192:10	The information requested to be sealed contains Google's confidential and proprietary information, including details related to Google's internal projects, internal identifiers, data signals and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing

1		products.
<b>4. Dkt. 637</b>		
4 <b>Document Sought to Be Sealed</b>	4 <b>Court's Ruling on Motions to Seal</b>	4 <b>Basis for Sealing Portion of Document</b>
5 July 15, 2022 Order	6 GRANTED as to redacted portions at:  7 Page 2:7	8 The information requested to be sealed contains 9 Google's confidential and proprietary 10 information regarding sensitive features of 11 Google's internal systems and operations, 12 including internal data security measures, that 13 Google maintains as confidential in the 14 ordinary course of its business and is not 15 generally known to the public or Google's 16 competitors. Such confidential and proprietary 17 information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
18 Exhibit 1 - List of Logs Identified in Proceedings before SM	19 GRANTED as to redacted portions at:  20 In its entirety	21 The information requested to be sealed contains 22 Google's confidential and proprietary 23 information regarding sensitive features of 24 Google's internal systems and operations, 25 including various types of Google's internal 26 projects, data signals, and logs, and their 27 proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may

1		also place Google at an increased risk of
2		cybersecurity threats, as third parties may seek
3		to use the information to compromise Google's internal practices relating to competing products.

## 5. Dkt. 638

Document	Text To Be Sealed	Basis for Sealing Portion of Document
May 3, 2022 Transcript of Sealed Proceedings	GRANTED as to the portions at:  Pages 16:4-5, 23:21, 28:7, 33:22, 35:11, 38:8, 38:17, 38:21, 39:17, 41:17, 43:14, 44:13, 45:15-16, 46:4, 46:10, 46:19, 48:8, 48:12-13, 48:15-18, 48:20-22, 50:11, 50:21, 52:21-23, 54:5-7, 54:18-19, 55:1, 55:3, 55:5, 58:5-6, 58:9, 58:19, 58:22-24, 59:2, 59:12-13, 59:15, 60:6, 60:15, 61:2, 61:9-10, 62:10, 63:1, 63:6, 63:14-15, 64:9-10, 64:13-14, 64:18	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including details related to Google's internal projects, internal identifiers, data signals and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

## 6. Dkt. 689

Document Sought to Be Sealed	Court's Ruling on Motions to Seal	Basis for Sealing Portion of Document
August 5, 2022 Order on (1) Google's Administrative Motions for	GRANTED as to redacted portions at:  Pages 4:5, 4:8-9, 5:3, 5:15, 6:3-5, 6:11, 6:13, 6:17, 7:3, 7:5-6, 7:11, 8:5	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, data signals, and logs, and their proprietary functionalities, as well

1	Extension/Clarification of the Preservation Plan Orders and (2) <i>Calhoun</i> Plaintiffs' Motion for Clarification of Preservation Plan Order	8:7, 9:2, 9:14, 10:1-4, 10:12-14, 11:1-3, 11:16-17, 12:1-2, 12:6-7, 12:20, 12:23-24, 13:8, 13:11-12, 13:14-15	as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
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## 7. Dkt. 716

Document	Text To Be Sealed	Basis for Sealing Portion of Document
Google LLC's Notice Regarding the August 4 Hearing and Steps Taken to Ensure Compliance with the Preservation Orders	GRANTED as to the portions at:  Pages 2:4, 2:7, 2:9-10, 2:21, 2:23-24, 2:26-28, 3:2, 3:8, 3:12, 3:15	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the

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Northern District of California

Declaration of Glenn Berntson Regarding Google Data Sources Discussed at August 4, 2022 Hearing	GRANTED as to the portions at: Pages 1:26-27, 2:3, 2:5-6, 2:8-9, 2:11, 2:14-18, 2:20, 2:22-27, 3:4-18, 3:21-23, 3:26, 4:4-8	information to compromise Google's internal practices relating to competing products.
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8. Dkt. 723

Document	Text To Be Sealed	Basis for Sealing Portion of Document
August 4, 2022 Hearing Transcript	GRANTED as to the portions at:  Pages 6:16, 13:24, 16:1, 16:24, 17:4, 18:2-5, 18:25, 19:3-4, 22:2, 22:10-11, 24:7, 26:4, 26:24-25,	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including details related to Google's internal projects, internal databases, data signals, and logs, and their proprietary functionalities, data size, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not

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Northern District of California

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**SO ORDERED.**

Dated: September 30, 2022

  
SUSAN VAN KEULEN  
United States Magistrate Judge